

COASTAL
MANAGEMENT
ELEMENT

COASTAL MANAGEMENT ELEMENT
Goals, Objectives, and Policies

GOAL #1: TO PRESERVE, RESTORE, AND ENHANCE COASTAL RESOURCES TO MAXIMIZE PUBLIC USE AND ASSURE THEIR FUTURE ECOLOGICAL BENEFIT. [9J-5.012(3)(a)]

OBJECTIVE #1: TO MAINTAIN AND UPGRADE THE QUALITY OF THE INDIAN RIVER LAGOON AND OTHER LAKES AND RIVERS AT THE CLASS II WATER QUALITY STANDARD AS SET BY THE STATE OF FLORIDA. [9J-5.012(3)(a)]

Policy #1: Erosion and sedimentation control practices shall be employed for all urban development and agricultural activities where needed to protect natural waterbodies, water courses, and wetlands from siltation. The following minimum criteria shall apply in the implementation of this policy. [9J-5.012(3)(c)(1 and 2)]

Strategy #1: Adequate erosion and sedimentation control practices are those recommended by the Soil Conservation Service and which are designed to substantially reduce or eliminate soil loss into waterbodies and wetlands.

Strategy #2: Clearing of specific building sites shall not commence until the developer is permitted to construct on that site. Clearing shall be limited to that area to be covered by construction and necessary drives and walkways. In all other areas the native vegetation should remain undisturbed where possible.

Strategy #3: Appropriate techniques to control wind erosion shall be used during clearing and site preparation for development or agricultural activities.

Strategy #4: Seeding and mulching, or other stabilizing actions of disturbed areas shall be undertaken within 30 days to completion of clearing work on a development site.

Strategy #5: All slopes on new non-agricultural canals, ditches and swales shall be no steeper than 3:1 (horizontal:vertical), and slopes on artificial ponds no more than 4:1, in order to minimize erosion and sedimentation.

Strategy #6: Waterfront construction shall be required to use appropriate erosion and siltation control practices during and after construction to prevent siltation of the adjacent waterbody.

Strategy #7: Stormwater management systems shall be designed to ensure that water velocities remain below those which would cause scour and/or erosion.

Policy #2: Wastewater treatment plant effluent impacts shall be minimized or eliminated to the maximum extent feasible. The following measures will be utilized to implement this policy. [9J-5.012(3)(c)(1)]

Strategy #1: Wastewater treatment systems outfalling to all existing surface water shall be designed or retrofitted as soon as economically feasible to reduce/eliminate the discharge.

Strategy #2: Periodic inspections shall be conducted on all wastewater treatment plants within the City to ensure that the facility is in good repair.

Policy #3: The siting, operation and monitoring of industries which use or generate hazardous materials shall ensure that groundwater and surface waters are not contaminated through release of

hazardous materials into the environment. The following definitions apply in the implementation of this policy: [9J-5.012(3)(c)(1 and 2)]

1. "Hazardous materials" are those for which notification of the FDER is required by CH. 17-30, F.A.C.
2. Surface water or groundwater contamination is defined as an increase in the concentration of any hazardous material in excess of the limits imposed by CH. 17-3 and CH. 17-30, F.A.C.

Policy #4: The negative impact of agricultural operations on surface water quality shall be minimized by encouraging the use of appropriate water quality management techniques. [9J-5.012(3)(c)(1 and 2)]

Policy #5: The City shall, in preserving the Indian River Lagoon system and other bodies of water within the City limits, coordinate with other local governments and the Marine Resources Council to ensure: [9J-5.012(3)(c)(1-14)]

- adequate sites for water-dependent uses
- prevention of estuarine pollution
- control of surface water runoff
- protection of living marine resources
- reduction of exposure to natural hazards
- public access
- that required infrastructure is available to serve the development or redevelopment in the coastal area.

Policy #6: The City shall support the designation of the Indian River Lagoon as an aquatic preserve between JayJay Road and the northern boundary of the County. [9J-5.012(3)(c)(13)]

Policy #7: The City shall study the feasibility of the designation of Florida's Outstanding Waters for the Indian River Lagoon.

OBJECTIVE #2: TO PROTECT THE BASIC FUNCTIONS SERVED BY MARINE GRASSBEDS AND COASTAL MARSHES TO ASSURE THE PROTECTION OF MARINE SPECIES SUCH AS THE MANATEE AND SHELLFISH. [9J-5.012(3)(b)(1 AND 2)]

Policy #1: In order to prevent shoreline erosion, filter out nutrients, provide reasonable access, and provide wildlife habitat, the removal of native emergent vegetation in the littoral zone of a waterbody shall be eliminated. The following definition shall apply in the implementation of this policy. [9J-5.012(3)(c)(1 and 2)]

1. "Littoral zone" includes the area between the ordinary high water line and the most waterward extent of native emergent, submerged or floating non-algae vegetation.
2. "Waterbody" includes all waters of the State and all natural lakes or ponds greater than 1 acre in size.

Policy #2: The balancing of inflows of fresh water into the estuaries of the region (which protect, maintain and enhance the ecological health of living marine resources) shall be incorporated as a high priority in any management activity within the coastal zone. [9J-5.012(3)(c)(1 and 2)]

Policy #3: Activities within an estuarine basin that will adversely impact grassbeds and other valuable submerged habitat shall be prohibited, unless an overriding public benefit can be shown and

adequate mitigation measures are included. The following criteria apply in the implementation of this policy: [9J-5.012(c)(1 and 2, 8, and 13)]

Strategy #1: Proposed activities in an estuarine basin whose public interest benefits could be considered to justify alterations or adverse impacts shall, at a minimum, meet one or more of the following criteria:

- a. the activity is necessary to prevent or eliminate a public hazard; and
- b. the activity would provide direct public benefits which would exceed those lost to the public.
- c. the activity shall be kept at a minimum to minimize the impact.

Strategy #2: Unavoidable impacts to grassbeds and other valuable submerged habitat shall be mitigated through any means which will result in no net loss of grassbeds or other habitat in the estuary. The method utilized (transplant, creation, etc.) will be determined in conjunction with the USFWS, FDNR, and FDER.

Strategy #3: Mitigation shall take place within the limits of an area stipulated by FDNR and FDER.

Strategy #4: Agencies responsible for permitting activities have the potential to impact grassbeds and submerged habitats, shall participate in an interagency conflict resolution process to ensure that permit applicants are not given conflicting or inconsistent permit conditions by different agencies for application undergoing simultaneous review. This policy does not preclude permitting agencies from establish additional or more stringent conditions to permits applied for, subsequent to the applicant's receipt of a permit from another agency.

Policy #4: The West Indian manatee shall be afforded protection from boating activities which may have an adverse impact upon the species. [9J-5.012(3)(b)(2)]

Policy #5: Dredge and fill activities within the City shall be minimized to eliminate/minimize possible adverse environmental, social and economic impacts. The following criteria shall apply in the implementation of this policy:

Strategy #1: The City shall advocate a study of the USCOE/FDNR/FDER by 2000 of the Indian River Lagoon shoreline to determine whether filling to the bulkhead line to provide a smooth shore would improve the circulation and quality of the river.

Strategy #2: Dredging and filling of submerged lands for public shoreline projects shall be planned only if the activity is water-dependent and necessary.

Policy #6: The protection of endangered and threatened species in the coastal area shall be implemented as set forth in Objective #1 of the Conservation Element of this Plan.

OBJECTIVE #3: TO ASSURE MAXIMUM RETENTION OF THE RECREATIONAL VALUES OF THE COASTAL AREA, PARTICULARLY PROVISION OF REASONABLE PHYSICAL AND VISUAL ACCESS TO THE INDIAN RIVER LAGOON AND THE COASTAL AREA. [9J-5.012(3)(b)(9) AND 9J-5.012(3)(c)(9)]

Policy #1: The purchase of land for preservation/recreation shall be based upon the comprehensive and coordinated acquisition program which is outlined in the Recreation and Open Space Element of this Plan.

Policy #2: Ensure that maximum protection of the public's right to pedestrian access to the Indian River Lagoon, other bodies of water and the area's beach is provided through adherence to the following policies: [9J-5.012(3)(c)(9)]

1. The City shall work with all governmental and non-governmental entities of Florida to gain another access route to Playalinda Beach.
2. Dedication of easements for public access shall be encourage from developments proposed along the Indian River Lagoon shoreline. These easements are to be located on the uplands running horizontally along the shoreline. The easement can be utilized in the calculation of the MWHL setback requirement. The vacation of such easements shall be strongly discouraged unless a suitable alternative can be provided.
3. The City shall encourage developments along the river to set aside areas for public access to river from inland.

OBJECTIVE #4: TO ENCOURAGE THE EXPANSION OF EXISTING MARINA FACILITIES WHICH WILL HAVE MINIMUM IMPACT ON THE INDIAN RIVER LAGOONAL SYSTEM AND TO DISCOURAGE THEIR LOCATION IN INAPPROPRIATE AREAS. [9J-5.012(3)(c)(8)]

Policy #1: Marinas shall be located in areas where maximum physical advantage exists, where the least dredging and maintenance are required, and where adequate resources will not be adversely affected subject to State and Federal regulations.

Strategy #1: The City shall perform periodic maintenance dredging of public access channels within City limits.

Policy #2: Present and future marina facilities shall not degrade water quality in the estuaries of the region per State and Federal regulations. [9J-5.012(3)(c)(8 and 13)]

Strategy #1: By 1990, sewer pump-out service shall be made available to boat slips. Operation of all pump-out equipment shall be limited to trained personnel.

Policy #3: Expansion of existing marina facilities, where environmentally feasible, rather than construction of new facilities, shall be encouraged. [9J-5.012(3)(c)(8 and 14)]

Policy #4: Within local land use planning programs, priority shall be given to water-dependent uses for marina development in those areas considered appropriate for such uses. [9J-5.012(3)(c)(8)]

GOAL #2: TO PROVIDE FOR PUBLIC SAFETY IN THE COASTAL HIGH HAZARD AREA AND TO LIMIT PUBLIC EXPENDITURE IN AREAS SUBJECT TO DESTRUCTION BY NATURAL DISASTERS. [9J-5.012(3)(a)]

OBJECTIVE #1: TO ASSURE THROUGH THE REGULATION OF DEVELOPMENT AND THE PRUDENT PROVISION OF PUBLIC INFRASTRUCTURE THAT DEVELOPMENT IN THE COASTAL HIGH HAZARD AREA DOES NOT JEOPARDIZE HUMAN LIFE AND WELFARE. [9J-5.012(3)(b)(6-8)]

Policy #1: All new permanent building construction shall adhere to the standards of the Federal National Flood Insurance Program. [9J-5.012(3)(c)(3 and 12)]

Policy #2: Development within the coastal high-hazard areas which may jeopardize the public's health, safety, or welfare shall not be allowed. [9J-5.012(3)(c)(4)]

Policy #3: The City shall continue to participate in the Space Coast Local Mitigation Strategy in cooperation with Brevard County Emergency Management as the lead agency. [9J-5.012(3)(c)(3 and 13)]

Policy #4: The City shall provide for protection and preservation of its historic resources by: [9J-5.012(3)(c)(10)]

Strategy #1: Participating with Brevard County in the Beach and Riverfront Acquisition Program.

Strategy #2: Participating in the National Historic Register Program.

Strategy #3: Incorporating the standards of the Federal National Flood Insurance Program.

Strategy #4: Insuring that surrounding infrastructure (i.e., sea walls) are maintained.

OBJECTIVE #2: TO PRUDENTLY REGULATE DEVELOPMENT IN THE COASTAL ZONE SO AS TO NOT SUBSIDIZE DEVELOPMENT WHICH ARE IN A HIGH HAZARD AREA. [9J-5.012(3)(b)(5)]

Policy #1: Public expenditures for infrastructure improvements which encourage increased density or intensity in designated coastal high-hazard areas shall be prohibited. Infrastructure improvements are defined as those activities (construction of bridges, roads, sewers, and water plants) which lead to an increase in the existing capacity of a facility and allow for an additional number of facility users. Improvements to a facility which address an existing deficiency, increase public safety, or provide for national defense are not governed by this policy. [9J-5.012(3)(c)(3 and 12)]

Policy #2: Programs shall be developed to mitigate the destructive forces of hurricane events within the City's coastal zone. The following criteria shall apply in the implementation of this policy: [9J-5.012(3)(c)(5-7)]

Strategy #1: Identifying areas needing redevelopment, and eliminating unsafe conditions and inappropriate uses.

Strategy #2: Post-hurricane mitigation shall include mechanisms for the relocation of structures significantly damaged in major hurricane events.

Strategy #3: Land acquisition programs shall include provisions for the possible redirection of funds to acquire estuarine properties which should not be redeveloped following a major hurricane.

Strategy #4: Discourage the redevelopment and rebuilding of facilities which serve to encourage growth in hazardous areas, except for necessary services for existing development. [9J-5.012(3)(c)(3)]

Policy #3: By 2005, the City shall adopt post disaster redevelopment policies that: [9J-5.012(3)(c)(3-7)]

- distinguish between immediate repair and cleanup action needed to protect public health and safety and long-term repair and redevelopment activities.
- limit redevelopment in areas of repeated damage
- incorporate the recommendations of interagency hazard mitigation reports into the Comprehensive Plan
- determine the removal, relocation, or structural modification of damaged infrastructure and unsafe structures.

OBJECTIVE #3: THE CITY SHALL ESTABLISH LEVEL OF SERVICE STANDARDS AND AREAS OF SERVICE TO ENSURE THAT INFRASTRUCTURE IS AVAILABLE TO SERVE DEVELOPMENT AND REDEVELOPMENT IN THE COASTAL AREA.

Policy #1: The levels of service, service areas and phasing of infrastructure shall be those set forth in the Infrastructure Element of this Plan.